



# SAN FRANCISCO PLANNING DEPARTMENT

January 30, 2012

Supervisor Chiu and  
Ms. Angela Calvillo, Clerk  
Board of Supervisors  
City and County of San Francisco  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

**Re: Transmittal of Planning Case Number 2011.1202TZ  
BF No.'s 11-1210, 11-1211: Chinatown Transit Station SUD**

**Recommendation: Approval with Modifications of File No. 11-1210 (PC Text Amendment)  
Approval of File No. 11-1211 (PC Map Amendment)**

Dear Supervisor Chiu and Ms. Calvillo,

On January 26, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearings at a regularly scheduled meeting to consider the proposed Ordinances under Board of Supervisors File Numbers 11-1210 and 11-1211.

At the January 26<sup>th</sup> Hearing, the Commission voted 4-0 (Commissioner Sugaya was recused and Commissioner Fong was absent) to recommend approval with modifications of the proposed Planning Code Text Amendment Ordinance and approval of the proposed Planning Code Map Amendment Ordinance, which together would create the Chinatown Transit Station Special Use District. The Department's recommended modifications were technical in nature and did not include any substantive amendments.

Supervisor, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes recommended by the Commission. The attached resolution and exhibits provide more detail about the Commission's action. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

AnMarie Rodgers  
Manager of Legislative Affairs

Cc: City Attorney Audrey Pearson

Attachments (one copy of the following):

Planning Commission Resolution No. 18526  
Draft Ordinances (including modifications)  
Department Executive Summary  
Department Exhibits

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# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Resolution No. 18526

HEARING DATE: JANUARY 26, 2012

*Project Name:* Chinatown Transit Station SUD  
*Case Number:* 2011.1202RTZ [Board File No. 11-1210]  
2011.1202RTZ [Board File No. 11-1211]  
*Initiated by:* Supervisor Chiu / Introduced November 08, 2011  
*Staff Contact:* Elizabeth Watty, Planner  
Elizabeth.Watty@sfgov.org, 415-558-6620  
*Reviewed by:* AnMarie Rodgers, Manager Legislative Affairs  
anmarie.rodgers@sfgov.org, 415-558-6395  
Mark Luellen, Senior Planner  
[Mark.Luellen@sfgov.org](mailto:Mark.Luellen@sfgov.org), 415-558-6478  
*Recommendation:* **Recommend Approval with Minor Modification of File No. 11-1210;  
Recommend Approval of File No. 11-1211.**

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**RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT WITH MODIFICATIONS A PROPOSED ORDINANCE THAT WOULD ADD PLANNING CODE SECTION 249.66 TO PERMIT THE DEMOLITION OF A MIXED-USE BUILDING IN THE CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW FOR THE CONSTRUCTION OF THE CHINATOWN STATION OF THE CENTRAL SUBWAY AND ADOPT A PROPOSED ORDINANCE THAT WOULD MAKE CONFORMING MAP AMENDMENTS BY AMENDING SHEET SU01 OF THE SAN FRANCISCO ZONING MAP; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1.**

Whereas, on November 08, 2011, Supervisor David Chiu introduced two proposed Ordinances under Board of Supervisors (hereinafter "Board") File Numbers 11-1210 and 11-1211 which would respectively add Planning Code Section 249.66 to create the Chinatown Transit Station Special Use District (SUD) and amend Sheet SU01 of the San Francisco Zoning Map to show the Chinatown Transit Station SUD in order to allow the demolition of the existing mixed-use building without approval of a replacement building in the Chinatown Residential Neighborhood Commercial District; and

Whereas, on January 26, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinances; and

Whereas, the physical effects of the proposed SUD were analyzed in the Central Subway/Third Street Light Rail Phase 2 Final Supplemental Environmental Impact Statement/Final Supplemental Environmental Impact Report ("Final SEIS/SEIR"), subsequent or supplemental environmental review is not required under the California Environmental Quality Act Guidelines Section 15162. The Planning Department determined that the legislation, which would permit the demolition of the mixed-use building on the Subject Property would not result in new significant impacts, require new or modified mitigation measures or cause impacts of greater severity than previously reported in the Final SEIR/SEIS; and

Whereas, the Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, SFMTA staff, and other interested parties; and

Whereas, the all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

Whereas, the Commission has reviewed the proposed Ordinances; and

**MOVED**, that the Commission hereby recommends that the Board of Supervisors recommends **approval of the proposed Zoning Map Amendment Ordinance, and approval with modifications of the proposed Planning Code Text Amendment Ordinance**, and adopts the attached Draft Resolution to that effect. The Commission recommends the following modifications:

- To add a reference to the Planning Code Text Amendment Ordinance to exempt the demolition of the existing mixed-use building from Section 312 Notification procedures on Page 4, lines 12-13;
- To add a reference to the Planning Code Text Amendment Ordinance description to correct the existing Zoning District as the Chinatown *Residential* Neighborhood Commercial District on Page 1, line 6; and
- To add a reference to the Planning Code Text Amendment Ordinance description to include Section 302 Findings on Page 1, Line 7.

## FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The Planning Code currently prohibits the demolition of dwelling-units in the Chinatown Residential Neighborhood Commercial District and prohibits the demolition of a residential building without approval of a replacement building;
2. The proposed Chinatown Transit Station SUD will facilitate the construction of the Chinatown Transit Station, which will be the terminus for the Central Subway, and which will be a benefit to Chinatown and the City at large;

3. The Commission supports the demolition of the existing mixed-use building on the Site since all of the residential and commercial tenants have been provided with relocation packages and because the SFMTA has committed to funding a 75-unit off-site affordable housing development near Chinatown to satisfy the loss of the 18 rent-controlled dwelling-units due to demolition;
4. The Commission supports the demolition of the existing mixed-use building without the approval of a replacement building due to the unique timeline required to keep the Central Subway Project on schedule. The Commission understands that demolition of the existing mixed-use building must occur several years prior to the construction of any above grade improvements;
5. The Commission notes that although the proposed Ordinances would permit the demolition of the existing structure without Section 312 Notification, any future above grade construction on the lot shall be subject to all standard Planning Code controls and noticing requirements;
6. The Commission recommends that the Board of Supervisors adopt the proposed Ordinances with the minor technical amendments described above.
7. **General Plan Compliance.** The proposed Ordinances are consistent with the following Objectives and Policies of the General Plan:

#### **HOUSING ELEMENT**

##### **OBJECTIVE 1**

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

##### **POLICY 1.3**

Work proactively to identify and secure opportunity sites for permanently affordable housing.

##### **POLICY 1.4**

Ensure community based planning processes are used to generate changes to land use controls.

*The Chinatown community has been very involved in the planning for the Chinatown Transit Station through several years of public outreach meetings and the help of CCDC (Chinatown Community Development Center). The SFMTA has also committed to funding a 75-unit off-site affordable housing development, located near Chinatown, under the control of the Mayor's Office of Housing as a replacement for the 18 rent-controlled dwelling-units that will be lost by demolition.*

#### **COMMERCE AND INDUSTRY ELEMENT**

##### **OBJECTIVE 1**

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

**POLICY 1.1**

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

*The Chinatown Transit Station SUD allows for development of a transit station at the Subject Property, which will provide substantial net benefits to the Chinatown community and the City as a whole by linking the neighborhoods in the southeastern portion of the City with the retail and employment centers in the City's downtown and Chinatown Neighborhoods. The underground transit station and rail lines will help to minimize above ground congestion and facilitate improved access to jobs, shopping, and regional destinations such as Chinatown.*

*This SUD allows for development that has minimized undesirable consequences. All existing residential and commercial tenants have been provided relocation packages that conform to the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The SFMTA has also minimized the undesirable consequences of losing 18 rent-controlled dwelling units from the City's housing stock by committing to fund a 75-unit off-site affordable housing development near Chinatown. Furthermore, the demolition of the existing mixed-use building that would be permitted under this SUD was analyzed under the Final Supplemental EIS/EIR for the Central Subway/Third Street light Rail Phase 2. The analysis resulted in several Mitigation Measures for the demolition of the building, which is a contributor to the Chinatown Historic District.*

**OBJECTIVE 2**

**MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.**

**POLICY 2.1**

Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

**POLICY 2.3**

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

*The Chinatown Transit Station SUD allows for development of a transit station, which will provide substantial benefits to the City as a whole by linking the neighborhoods in the southeastern portion of the City with the retail and employment centers in the City's downtown and Chinatown Neighborhoods. The underground transit station and rail lines will help to minimize above ground congestion and facilitate improved access to jobs, shopping, and regional destinations such as Chinatown. Improved transit access to social and cultural destinations, as well as the new linkage with CalTrain Station at 4<sup>th</sup> and King Street, will help enhance the City's attractiveness as a firm location.*

**OBJECTIVE 4**

**IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.**

**POLICY 4.4**

When displacement does occur, attempt to relocate desired firms within the city.

**POLICY 4.7**

Improve public and private transportation to and from industrial areas.

*This SUD allows for the demolition of the existing mixed-use building, which will displace 8 commercial tenants. All of these tenants have been provided with relocation packages, including relocation assistance to help them find new tenant spaces within the City. Relocation packages all conform to the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.*

*The Chinatown Transit Station SUD will help facilitate the future development of a transit station near Chinatown, which will provide substantial net benefits to Chinatown community and the City as a whole by linking the neighborhoods in the more industrial southeastern portion of the City with the retail and employment centers in the City's downtown and Chinatown Neighborhoods. The underground transit station and rail lines will help to minimize above ground congestion and facilitate improved access throughout these neighborhoods.*

**OBJECTIVE 8**

**ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL CENTER FOR CONVENTIONS AND VISITOR TRADE.**

**POLICY 8.3**

Assure that areas of particular visitor attraction are provided with adequate public services for both residents and visitors.

*Chinatown is one of the City's prominent visitor destinations. Public services such as transit are especially important in areas of particular visitor attraction. Provision of high quality transit services is one direct method that the City can employ to promote visitor trade in San Francisco. Additional public transit facilities, such as the Central Subway extension through Chinatown, will serve expanding visitor trade and should be supported.*

**TRANSPORTATION ELEMENT**

**OBJECTIVE 1**

**MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA.**

**POLICY 1.1**

Involve citizens in planning and developing transportation facilities and services and in further defining objectives and policies as they relate to district plans and specific projects.

**POLICY 1.3**

Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.

**POLICY 1.4**

Increase the capacity of transit during the off-peak hours.

**POLICY 1.5**

Coordinate regional and local transportation systems and provide for interline transit transfers.

**POLICY 1.7**

Assure expanded mobility for the disadvantaged.

*Phase 2 of the Central Subway Project, which will terminate at the Chinatown Transit Station SUD, has undergone a very extensive public outreach process for nearly the last decade. Allowing the demolition of the existing structure at 935-949 Stockton Street will enable the full build-out of Phase 2 of the Central Subway, which will result in improved public transit for all of the City's residents as well as commuters who use BART or CalTrain, since this Project will improve the connections between those regional rail systems and Chinatown.*

**OBJECTIVE 2**

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

**POLICY 2.2**

Reduce pollution, noise and energy consumption.

**POLICY 2.4**

Organize the transportation system to reinforce community identity, improve linkages among interrelated activities and provide focus for community activities.

*The Chinatown Transit Station SUD will enable future development of a transit station at the Subject Property, which will provide substantial benefits to the City as a whole by reducing pollution, noise and energy consumption of private automobile travel by creating an improved transit line below grade that will link tourist attractions such as Yerba Buena Gardens, Union Square, and Chinatown.*

**OBJECTIVE 4**

MAINTAIN AND ENHANCE SAN FRANCISCO'S POSITION AS THE HUB OF A REGIONAL, CITY-CENTERED TRANSIT SYSTEM.

**POLICY 4.1**

Rapid transit lines from all outlying corridors should lead to stations and terminals that are adjacent or connected to each other in downtown San Francisco.

**POLICY 4.2**

Increase transit ridership capacity in all congested regional corridors.

**POLICY 4.4**

Integrate future rail transit extensions to, from, and within the city as technology permits so that they are compatible with and immediately accessible to existing BART, CalTrain or Muni rail lines.

**POLICY 4.5**

Provide convenient transit service that connects the regional transit network to major employment centers outside the downtown area.

*Phase 2 of the Central Subway Project, which will terminate at the Chinatown Transit Station SUD, will increase capacity in Chinatown – a congested corridor – and will allow for connections with BART, CalTrain, and other Muni rail lines, enabling an improved regional transit network.*

**OBJECTIVE 20**

GIVE FIRST PRIORITY TO IMPROVING TRANSIT SERVICE THROUGHOUT THE CITY, PROVIDING A CONVENIENT AND EFFICIENT SYSTEM AS A PREFERABLE ALTERNATIVE TO AUTOMOBILE USE.

**POLICY 20.4**

Develop transit centers according to established guidelines.

**POLICY 20.8**

Intensify overall transit service in the "central area."

**POLICY 20.9**

Improve inter-district and intra-district transit service.

*The Chinatown Transit Station SUD will enable the construction of the Central Subway into Chinatown. Chinatown is located in the City's northeast quadrant of the City; more travel occurs to and within this area than any other area of the City, and as a result, the traffic and pollution levels are highest and the streets are more congested. It is important to give the highest priority to an intensification and enhancement of transit service within this area.*

**OBJECTIVE 21**

DEVELOP TRANSIT AS THE PRIMARY MODE OF TRAVEL TO AND FROM DOWNTOWN AND ALL MAJOR ACTIVITY CENTERS WITHIN THE REGION.

**POLICY 21.1**

Provide transit service from residential areas to major employment centers outside the downtown area.

**POLICY 21.3**

Make future rail transit extensions in the city compatible with existing BART, CalTrain or Muni rail lines.

*The Chinatown Transit Station SUD will facilitate the future construction of the Chinatown Transit Station, which will connect citizens who work in employment centers outside of the downtown area with BART and CalTrain rail facilities.*



**ENVIRONMENTAL PROTECTION ELEMENT**

**OBJECTIVE 4**

ASSURE THAT THE AMBIENT AIR OF SAN FRANCISCO AND THE BAY REGION IS CLEAN, PROVIDES MAXIMUM VISIBILITY, AND MEETS AIR QUALITY STANDARDS.

**POLICY 4.2**

Encourage the development and use of urban mass transportation systems in accordance with the objectives and policies of the Transportation Element.

**POLICY 4.3**

Encourage greater use of mass transit in the downtown area and restrict the use of motor vehicles where such use would impair air quality.

*The Chinatown Transit Station SUD will help to enable the construction of the Central Subway into Chinatown, which will provide direct access to downtown, as well as the City's southeastern neighborhoods.*

**OBJECTIVE 15**

INCREASE THE ENERGY EFFICIENCY OF TRANSPORTATION AND ENCOURAGE LAND USE PATTERNS AND METHODS OF TRANSPORTATION WHICH USE LESS ENERGY.

**POLICY 5.1**

Increase the use of transportation alternatives to the automobile.

*The Chinatown Transit Station SUD will help to facilitate the future construction of the Central Subway into Chinatown, which will increase the public transit access in and between some of San Francisco's major tourist, shopping, and cultural destinations.*

**AIR QUALITY ELEMENT**

**OBJECTIVE 2**

REDUCE MOBILE SOURCES OF AIR POLLUTION THROUGH IMPLEMENTATION OF THE TRANSPORTATION ELEMENT OF THE GENERAL PLAN.

*The Chinatown Transit Station SUD will help to facilitate the future construction of the Central Subway into Chinatown, which will provide direct transit access to downtown and the City's southeastern neighborhoods, as well as other regional transit providers, such as BART and CalTrain. This expanded transit service, which is supported by the City's "Transit First" Policy, will help to reduce congestion on roadways and encourage the use of transit rather than single occupant vehicles, which will help to improve overall air quality.*

**CHINATOWN AREA PLAN**

**OBJECTIVE 3**

STABILIZE AND WHERE POSSIBLE INCREASE THE SUPPLY OF HOUSING.

**POLICY 3.1**

Conserve existing housing.

*Demolition should be allowed for a specific use in which there is a high degree of community need. Low cost housing removed by new development should be replaced on a unit for unit basis and adequate relocation assistance for all displaced persons should be assured.*

*The Chinatown Transit Station SUD helps to facilitate the future development of a transit station at the Subject Property, which has a high degree of need since more travel occurs to and within this area than any other area of the City, resulting in some of the highest traffic and pollution levels, and congested streets in the City.*

*Within the proposed Chinatown Transit Station SUD, there are currently has 18 rent-controlled housing units (containing a total of 19 households). Demolition of the existing building requires the relocation of 19 households. SFMTA is implementing the requirements in the Uniform Relocation Act and the California State Relocation Act with a detailed relocation plan designed to minimize impacts on the displaced residences. This Relocation Plan assesses the relocation needs of all potential displacees and is the basis for providing relocation assistance and payments for affected residential tenants.*

*The SFMTA has also committed to funding a 75-unit off-site affordable housing development, located near Chinatown, under the control of the Mayor's Office of Housing, in order to minimize the loss of the 18 rent-controlled dwelling units from the City's housing stock, and to replace the housing on more than a one-to-one basis.*

**OBJECTIVE 5**

RETAIN AND ENHANCE CHINATOWN'S ROLE AS A VISITOR ATTRACTION.

*The Chinatown Transit Station SUD helps to facilitate the future development of a transit station at the Subject Property, which would provide substantial benefits to the City as a whole by linking tourist attractions such as Yerba Buena Gardens, Union Square, and Chinatown through improved, direct transit access.*

**OBJECTIVE 7**

MANAGE TRANSPORTATION IMPACTS TO STABILIZE OR REDUCE THE DIFFICULTIES OF WALKING, DRIVING, DELIVERING GOODS, PARKING OR USING TRANSIT IN CHINATOWN.

**POLICY 7.2**

Make MUNI routes more reflective of and responsive to Chinatown ridership, including bilingual signage, schedules, maps.

*The Chinatown Transit Station SUD will help to facilitate the construction of the Chinatown Transit Station, which will be responsive to Chinatown's high transit ridership.*

8. The proposed replacement project is consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

- A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

*The Chinatown Transit Station SUD will enable the construction of the new Chinatown Transit Station at Stockton and Washington, near the center of Chinatown's neighborhood commercial and retail business district. The light rail service along Stockton and Fourth Streets that will terminate at 935-949 Stockton Street will introduce the first major north-south rail transit axis connecting Chinatown, Union Square, the Market Street BART/Muni subway, and South of Market. The 1.7 mile new line will attract 35,100 daily boardings by 2030 and significantly enhance access for local businesses and residents.*

*Construction of the Chinatown Station requires the purchase of property at the southwest corner of Washington and Stockton Streets, at 935-949 Stockton Street. This property contains 18 residential dwelling units and eight (8) ground floor commercial spaces. SFMTA is implementing the requirements in the Uniform Relocation Act and the California State Relocation Act with a detailed relocation plan designed to minimize impacts on the displaced businesses. This Relocation Plan assesses the relocation needs of all potential displacees and is the basis for providing relocation assistance and payments for affected commercial businesses.*

- B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

*Within the proposed Chinatown Transit Station SUD, there are currently has 18 rent-controlled housing units (containing a total of 19 households). Demolition of the existing building requires the relocation of 19 households. SFMTA is implementing the requirements in the Uniform Relocation Act and the California State Relocation Act with a detailed relocation plan designed to minimize impacts on the displaced residences. This Relocation Plan assesses the relocation needs of all potential displacees and is the basis for providing relocation assistance and payments for affected residential tenants.*

*The SFMTA has also committed to funding a 75-unit off-site affordable housing development, located near Chinatown, in order to minimize the loss of the 18 rent-controlled dwelling units from the City's housing stock. Once the off-site housing development is completed in 2014, the original tenants of 933-949 Stockton Street, should they choose, will be permanently relocated to the new off-site housing project, although some of the tenants have elected to use their relocation benefits to purchase homes in lieu of continuing to rent.*

*The compensation and relocation of all affected tenants and the construction of new affordable dwelling units near Chinatown will help to preserve the cultural and economic diversity of Chinatown. The demolition of the existing mixed-use building at 935-949 Stockton Street will enable the construction of a future transit station, which will also help to preserve the cultural and economic diversity of Chinatown, which is heavily reliant on public transportation access.*

- C) The City's supply of affordable housing will be preserved and enhanced:

*The Chinatown Transit Station SUD will enable the demolition the 19 households (18 units) that once resided at 933-949 Stockton Street. The relocation plan was approved by the SFMTA Board of Directors, the San Francisco Board of Supervisors, and the Federal Transportation Agency. The relocation of the 19 households was successfully completed in December of 2011, in full compliance with the federal Uniform Relocation Act and the State of California Relocation Act.*

*The SFMTA has committed to providing funding towards the construction and operation of a new 75-unit affordable housing development near Chinatown under the control of the Mayor's Office of Housing. Up to 19 units will be reserved for former residents of 933-949 Stockton Street, and the former tenants are receiving relocation assistance benefits until the new affordable housing development is completed.*

- D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

*The implementation of the Central Subway Project, the second and final phase of the Third Street light rail project, is specifically designed to enhance transit service between the southeast and northeast districts of San Francisco in keeping with the city's Transit First Policy. The Chinatown Transit Station SUD will enable the construction of the northern terminus of this line. The project will address current transit deficiencies of overcrowded and unreliable service and will serve employment and population growth in this corridor. The Central Subway's exclusive subsurface transit right-of-way and the resulting increase in service levels and reliability will improve travel times while reducing neighborhood street and sidewalk congestion.*

- E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

*The Chinatown Transit Station SUD will allow for the demolition of a mixed-use building with the intent of constructing a new transit station in its place. This SUD will be the location of the Central Subway terminus; the Central Subway, once complete, will link the Stockton / 4th Street corridor directly to the South of Market and Eastern Neighborhoods where important industrial and service sectors are located.*

- F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*The Chinatown Transit Station SUD will allow for the demolition of an existing mixed-use building; it does not, however, authorize any new construction. Any future construction on the Site will be reviewed separately at a later date to ensure that it meets all Building Code requirements to protect against injury and loss of life in an earthquake.*

- G) That landmark and historic buildings will be preserved:

*The Chinatown Historic District is listed on the California Register of Historic Resources with a "3D" rating, but has not been formally designated as an historic district. The Chinatown Historic District contains 371 contributing historic buildings, including 933-949 Stockton Street, which is the Site of the Chinatown Transit Station SUD.*

*Demolition of contributing elements to a NRHP-eligible district constitutes an adverse impact according to the section 106 of the National Historic Preservation Act and the California Environmental Quality Act. Mitigation Measures were adopted to reduce the impact of the demolition of the 935-949 Stockton Street building, including: documenting the existing historic building; salvaging of the architecturally significant building features for incorporation into an interpretive display in the new station; and employing an architectural historian during the design development of the new station and adjoining building to ensure that the design is culturally appropriate to the Chinatown District are required Mitigation Measures for the project. These Mitigation Measures were adopted by the Planning Commission when they certified the Final Supplemental EIS/EIR for the Central Subway/Third Street Light Rail Phase 2, through Motion No. 17668 on August 7, 2008. This Planning Commission decision was upheld by the Board of Supervisors on September 16, 2008 through Motion No. 08-145.*

- H) Parks and open space and their access to sunlight and vistas will be protected from development:

*The Chinatown Transit Station SUD will allow for the demolition of an existing mixed-use building; it does not authorize any new construction. Any future construction on the Site will be reviewed separately at a later date to ensure that it does not adversely affect parks and open space and their access to sunlight and vistas.*

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on January 26, 2012.



Linda D. Avery  
Commission Secretary

AYES: Commissioners Antonini, Borden, Miguel, and Moore

NAYS:

ABSENT: Commissioner Fong

RECUSED: Commissioner Sugaya

ADOPTED: January 26, 2012

1 [Planning Code - Chinatown Transit Station Special Use District]

2

3 **Ordinance amending the San Francisco Planning Code by adding Section 249.66 to: 1) create the**  
 4 **Chinatown Transit Station Special Use District at the southwest corner of Stockton Street and**  
 5 **Washington Street (Assessor Block No. 211, Lot No. 1); 2) permit the demolition of a mixed-use building**  
 6 **in the Chinatown Residential Neighborhood Commercial District for the construction of the Chinatown**  
 7 **Station of the Central Subway; and 3) adopt findings, including Section 302 Findings, General Plan**  
 8 **Consistency Findings and findings under the California Environmental Quality Act.**

9 Note: Additions are *single-underline italics Times New Roman*;  
 10 deletions are ~~*strikethrough italics Times New Roman*~~.  
 11 Board amendment additions are double underlined.  
 Board amendment deletions are ~~strikethrough normal~~.

12 Be it ordained by the People of the City and County of San Francisco:

13 Section 1. This section is uncodified. General Findings

14 (a) The San Francisco Municipal Transportation Agency (SFMTA) plans to construct a  
 15 continuation of the T-Third Light Rail Vehicle line from the Caltrain Station at Fourth and King Streets to an  
 16 underground station in Chinatown (the "Project") to create a critical transportation improvement linking  
 17 neighborhoods in the southeastern portion of the City and County of San Francisco (the "City") with the retail and  
 18 employment centers in the City's downtown and Chinatown neighborhoods.

19 (b) The Project will provide direct rail service to regional destinations, including the City's Chinatown,  
 20 Union Square, Moscone Convention Center, Yerba Buena, SoMa and AT&T Park neighborhoods; connect BART  
 21 and Caltrain; serve a low-auto-ownership population of transit customers; increase transit use and reduce travel  
 22 time; reduce air and noise pollution and provide congestion relief.

23 (c) On August 7, 2008, the City's Planning Commission certified that the Final Supplemental  
 24 Environmental Impact Statement/Supplemental Environmental Impact Report ("Final Supplemental EIS/EIR") for  
 25

Supervisor Chiu  
BOARD OF SUPERVISORS

1 the Central Subway/Third Street Light Rail Phase 2 ("Central Subway") was in compliance with the California  
2 Environmental Quality Act, Public Resources Code section 21000, et seq, and the CEQA Guidelines in Planning  
3 Commission Motion No. 17668. The Final Supplemental EIS/EIR and Motion No. 17668 are on file with the  
4 Clerk of the Board of Supervisors in File No. 100849 and are incorporated by reference.

5 (d) On August 19, 2008, the SFMTA's Board of Directors, by Resolution No. 08-150, approved the  
6 Project, adopted CEQA Findings, including a Statement of Overriding Considerations and a Mitigation Monitoring  
7 and Reporting Program (MMRP) as required by CEQA. Resolution No. 08-150 is on file with the Clerk of the  
8 Board of Supervisors in File No. 100849 and is incorporated by reference.

9 (e) On September 16, 2008, the City's Board of Supervisors (this "Board") adopted Motion No. 08-145,  
10 in Board File No. 081138, affirming the City's Planning Department decision to certify the Final Supplemental  
11 EIS/EIR. Motion No. 08-145 is on file with the Clerk of the Board of Supervisors in File No. 100849 and is  
12 incorporated by reference.

13 (f) On \_\_\_\_\_, the City's Planning Department found that there have been no substantial  
14 changes proposed for the Project that would require major revisions to the Final Supplemental EIS/EIR or that  
15 would result in significant environmental impacts that were not evaluated in the Final Supplemental EIS/EIR; and  
16 no new information has become available that was not known and could not have been known at the time the  
17 Final Supplemental EIS/EIR was certified as complete and that would result in significant environmental impacts  
18 not evaluated in the Final Supplemental EIS/EIR.

19 (g) On February 26, 2010, the SFMTA's Board of Directors adopted Resolution No. 10-024, in which it  
20 found that (a) the Project will assist SFMTA in meeting the objectives of Goal No. 1 of the SFMTA Strategic Plan  
21 (to provide safe, accessible, clean, environmentally sustainable service and encourage the use of auto-  
22 alternative modes through the Transit First policy), of Goal No. 2 (to improve transit reliability), of Goal No. 3 (to  
23 improve economic vitality through improved regional transportation), and of Goal No. 4 (to ensure the efficient  
24 and effective use of resources).

25  
Supervisor Chiu  
**BOARD OF SUPERVISORS**

1 (h) As noted in the SEIS/SEIR certified in June 2008, and in the August 5, 2008 SFMTA Board of  
2 Directors Resolution approving the project, construction of the underground station in Chinatown, at the  
3 southwest corner of Stockton and Washington Streets, requires the demolition of the existing mixed-use  
4 residential and retail building at 939-945 Stockton Street. The SFMTA finalized the purchase the building at 939-  
5 945 Stockton Street in November 2011, and is now the owner in fee simple.

6 (i) The SFMTA has successfully relocated almost all of the retail and residential tenants at 933-949  
7 Stockton Street in accordance with the Central Subway's *Relocation Impact Study and Last Resort Housing Plan*  
8 (the "*Plan*"), approved by the MTA Board of Directors on August 3, 2010, and by this Board of Supervisors on  
9 December 7, 2010. The *Plan* among other things, establishes a program by which residential tenants are  
10 provided relocation expenses, including moving expenses and social services, 42 months of rent differential, and  
11 eligibility for affordable units at a new housing project planned for Broadway and Sansome Streets. The *Plan*  
12 also provides commercial tenants with the services of a relocation consultant, moving expenses, business re-  
13 establishment expense payments and compensation for loss of goodwill.

14 Section 2. Special Findings

15 (a) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this ordinance  
16 will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission  
17 Resolution No. \_\_\_\_\_, and incorporates such reasons herein by reference. A copy of said Planning  
18 Commission Resolution is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_.

19 (b) The Board of Supervisors finds that this ordinance is in conformity with the General Plan and the  
20 Priority Policies of Planning Code Section 101.1 for the reasons set forth in Planning Commission Resolution No.  
21 \_\_\_\_\_, and hereby incorporates those reasons by reference.

22 (c) The Planning Department has determined that the actions contemplated in this ordinance are in  
23 compliance with the California Environmental Quality Act (California Public Resources Code sections 21000 et  
24 seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and is  
25 incorporated herein by reference.

Supervisor Chiu  
**BOARD OF SUPERVISORS**



1 Section 2. The San Francisco Planning Code is hereby amended by adding Section 249.66, to read as  
2 follows:

3 **SEC. 249.66. CHINATOWN TRANSIT STATION SPECIAL USE DISTRICT.**

4 (a) Purpose. In order to facilitate the construction of the Central Subway, the extension of the Third  
5 Street Light Rail Line from the Caltrain Terminal at 4th Street and King Street to an underground station in  
6 Chinatown, there shall be a Chinatown Transit Station Special Use District consisting of Lot 1, of Assessor's  
7 Block 0211, as designated on Sectional Map SU01 of the Zoning Map of the City and County of San Francisco.

8 (b) Special Controls.

9 The following controls apply to projects within the special use district and to any subsequent alterations  
10 or changes in use in a building approved under this Section.

11 (1) All otherwise applicable provisions of the Planning Code shall apply to this Special Use District with  
12 the exception of Sections 312, 317 and 812.39(b).

13  
14  
15 APPROVED AS TO FORM:  
DENNIS J. HERRERA, City Attorney

16  
17 By: \_\_\_\_\_  
Audrey Pearson  
Deputy City Attorney



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Planning Code and Zoning Map Amendments HEARING DATE: JANUARY 26, 2012

*Project Name:* **Chinatown Transit Station SUD**  
*Case Number:* 2011.1202RTZ [Board File No. 11-1210]  
2011.1202RTZ [Board File No. 11-1211]  
*Initiated by:* Supervisor Chiu / Introduced November 08, 2011  
*Staff Contact:* Elizabeth Watty, Planner  
Elizabeth.Watty@sfgov.org, 415-558-6620  
*Reviewed by:* AnMarie Rodgers, Manager Legislative Affairs  
anmarie.rodgers@sfgov.org, 415-558-6395  
Mark Luellen, Senior Planner  
[Mark.Luellen@sfgov.org](mailto:Mark.Luellen@sfgov.org), 415-558-6478  
*Recommendation:* **Approval with Minor Modifications (Text Amendment)**  
**Approval (Map Amendment)**

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### PLANNING CODE AMENDMENT

The proposed Ordinances would amend the Planning Code to add Section 249.66 to create the Chinatown Transit Station Special Use District (SUD) and to permit the demolition of the existing two-story, mixed-use building that is located on the subject lot (Block 0211; Lot 001).

#### The Way It Is Now:

The Subject Property is currently located in the Chinatown Residential Neighborhood Commercial District<sup>1</sup> which was established in 1987 and prohibits the demolition of residential dwelling units. Furthermore, Planning Code Section 317(d) requires the review and approval of a replacement structure prior to the issuance of a demolition permit for a building containing residential dwelling-units. The property contains a two-story mixed-use building with 18 residential dwelling-units located on the second floor and 8 businesses on the ground floor.

#### The Way It Would Be:

The proposed Ordinances would allow the demolition of the mixed-use building without the prior review and approval of a replacement building. All other controls currently applicable in the Chinatown Residential Neighborhood Commercial District would apply.

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<sup>1</sup> Planning Code Section [812.1](#)

Although the proposed Ordinance would exempt the demolition of the existing mixed-use building from the Planning Section 312 Notification procedures, it would not exempt any future construction on the lot from the Section 312 or any other required notification procedures.<sup>2</sup>

## **BACKGROUND INFORMATION**

### **Central Subway<sup>3</sup>**

The Central Subway Project is Phase 2 of SFMTA's 6.8-mile Third Street Light Rail Transit Project. Phase 1 began service along the Third Street corridor in April 2007 and Phase 2 will extend the T-Third Line rail service to provide a direct, rapid transit link from the Bayshore and Mission Bay areas to SoMa, downtown, and Chinatown.

When the Central Subway is completed, the combined Third Street Line will provide a continuous light rail route connecting the heavily transit-dependent communities of Visitacion Valley and Bayview in the south through Dogpatch and Mission Bay with Chinatown and the central business districts in the north. It will provide direct connections to major retail, sporting and cultural venues and carry more passengers upon opening than any other current Muni line. Most significantly, it will efficiently take people along this densely-populated corridor to jobs, and educational opportunities, and will increase access throughout San Francisco.

Construction of the tunnels and stations will continue through 2017 and the Central Subway is slated to open to the public in 2019.

### **Tenant Relocation Plan**

All of the 19 residential households<sup>4</sup> have been relocated to new housing and all but one of the 8 ground-floor commercial businesses have been relocated as of December 2011. The one remaining commercial tenant is the property manager, and he is scheduled to move out on February 15<sup>th</sup>, 2012. All of the relocation efforts were done in accordance with the Central Subway's *Relocation Impact Study and Last Resort Housing Plan*, which was approved by the MTA Board of Directors on August 3, 2010, and by the Board of Supervisors on December 7, 2010. The *Plan*, among other things, establishes a program by which residential tenants are provided with relocation expenses, including moving expenses and social services, 42 months of rent differential, and eligibility for affordable units at a new 75-unit housing project planned for Broadway and Sansome Streets near Chinatown. The *Plan* also provides commercial tenants with the services of a relocation consultant, moving expenses, business re-establishment expense payments and compensation for loss of goodwill.

### **Timeline**

The demolition of the existing mixed-use building at 935-949 Stockton Street has been considered in various other approvals over the last several years; this SUD is the necessary implementing document to enable what was considered in those previous decisions.

Below is a brief overview of other key approvals that have been given for the Central Subway Project, all of which specifically include reference the subject demolition project:

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<sup>2</sup> Planning Code Section [312](#) requires notification to all owners and tenants who live within 150' of the Subject Property, along with all applicable Neighborhood Organizations, when there is a proposal for demolition, new construction, and certain changes of use.

<sup>3</sup> <http://centralsubwaysf.com/content/project-overview>

<sup>4</sup> There are 18 dwelling-units, but 19 households who live at 935-949 Stockton Street.

- August 7, 2008: The Planning Commission certified the Final Supplemental EIS/EIR for the Central Subway/Third Street Light Rail Phase 2 (“Central Subway”) through Motion No. 17668.
- August 19, 2008: The SFMTA’s Board of Directors approved the Central Subway Project through Resolution No. 08-150.
- September 16, 2008: The Board of Supervisors affirmed the Planning Commission’s decision to certify the Final Supplemental EIS/EIR for the Central Subway Project through Motion No. 08-145.
- February 26, 2010: The SFMTA Board of Directors found that the Project achieved several of the SFMTA’s Strategic Plan objectives, and affirmed this through Resolution No. 10-024.
- December 7, 2010: The Board of Supervisors approved the SFMTA’s Housing Relocation Plan (aka “*Relocation Impact Study and Last Resort Housing Plan for Central Subway Project*”) for Chinatown residents and businesses that would be displaced by the demolition of the subject building through Ordinance No. 10-307.
- September 28, 2011: The Board of Supervisors supported the one-to-one replacement of all demolished rent controlled dwelling-units at 935-949 Stockton Street, and relocation packages for all displaced tenants, through Resolution No. 11-433. The relocation packages are consistent with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and the approved *Relocation Impact Study and Last Resort Housing Plan*, which provides all displaced tenants with the opportunity to remain permanently in or near San Francisco’s Chinatown.

### **Future Site Development**

The demolition of 935-949 Stockton and construction of the Chinatown Station will be done by the same contractor, allowing for the most efficient transition from demolition to new construction activities. Upon completion of demolition, the site will be cleared to street grade along Stockton Street. A temporary construction fence will be installed around the perimeter of the Site prior to the start of demolition and will remain through the end of the station construction. The temporary fence will be wrapped with Central Subway and Chinatown Station logos and renderings.

The SFMTA is currently working with the San Francisco Arts Commission Civic Design Review Committee on design review of a future station building and will continue to work with the Planning Department on the final design. When the station design is ready to move forward, the SFMTA will return to the Planning Commission for any necessary approvals for a Public Use within the Chinatown Residential Neighborhood Commercial District.

### **REQUIRED COMMISSION ACTION**

The proposed Ordinances are before the Commission so that it may recommend approval, rejection, or approval with modifications to the Board of Supervisors.

### **RECOMMENDATION**

The Department recommends that the Commission recommend *approval* of the proposed Map Amendment Ordinance (Board File No. 11-1211) and *approval with modifications* of the proposed Planning Code Text Amendment Ordinance (Board File No. 11-1210) and adopt the attached Draft

Resolution to that effect. The modifications recommended by the Department for the Planning Code Text Amendment Ordinance are minor in nature:

- To add a reference to the Chinatown Transit Station Special Use District to exempt the demolition of the existing mixed-use building from Section 312 Notification procedures on Page 4, lines 12-13;
- To add a reference to the Ordinance description to correct the existing Zoning District as the Chinatown *Residential* Neighborhood Commercial District on Page 1, line 6; and
- To add a reference to the Ordinance description to include Section 302 Findings on Page 1, Line 7.

## **BASIS FOR RECOMMENDATION**

The Chinatown Transit Station SUD is necessary in order to allow for the demolition of the existing, nearly vacant mixed-use building at 935-949 Stockton Street. Without the demolition of this building, the Chinatown Transit Station will not be able to be located at this Site. This Site has already been identified and approved as the Site for the Chinatown Transit Station by the SFMTA Board of Directors and by the Board of Supervisors. The Planning Commission – through the certification of the EIR – reviewed and approved this site as one of the feasible locations for the Chinatown Transit Station. This SUD allows for implementation of the Central Subway’s Chinatown Transit Station.

The SFMTA plans to construct a continuation of the T-Third Light Rail line from the CalTrain Station at Fourth and King Streets to Chinatown in order to create a critical transportation improvement linking neighborhoods in the southeastern portion of the City with the retail and employment centers in the City’s downtown and Chinatown neighborhoods. It will introduce the first major north-south rail transit axis connecting Chinatown, Union Square, the Market Street BART/Muni Metro subway, and South of Market. The new 1.7-mile line will attract 35,100 daily boardings by 2030 and will significantly enhance access for local businesses and residents. This Project will serve a low-auto-ownership population of transit customers, increase transit use and reduce travel time, reduce air and noise pollution, and provide congestion relief throughout the corridor. The Chinatown Transit Station, located at the site of this proposed SUD, will be the terminus of this line.

The SFMTA has successfully relocated all but one of the tenants from the Subject Property and is implementing the requirements in the Uniform Relocation Act and the California State Relocation Act aimed at minimizing impacts on the displaced tenants.<sup>5</sup> This Relocation Plan assesses the relocation needs of all potential displacees and is the basis for providing relocation assistance and payments for affected residential tenants and commercial businesses.

The SFMTA has also committed to funding a 75-unit off-site affordable housing development, located near Chinatown, under the control of the Mayor’s Office of Housing. Once completed in 2014, the original tenants of the Subject Property, should they choose, will be permanently relocated to this new off-site housing project. Some tenants, however, have elected to use their relocation benefits to purchase homes rather than rent.

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<sup>5</sup> The one remaining commercial tenant is the property manager and will move out in February, 2012.

Although the existing structure is considered a contributor to a National Register eligible historic district and its demolition constitutes an adverse impact to that potential historic district, the certified Final Supplemental EIS/EIR<sup>6</sup> provided Mitigation Measures to reduce the impact of the demolition of a contributory building at 935-949 Stockton Street. These Mitigation Measures include: documenting the existing historic building, salvaging of the architecturally significant building features for incorporation into an interpretive display in the new station, and employing an architectural historian to participate in the design development of the new station and adjoining building to ensure that the design is compatible with the potential historic district.

The Department's proposed modifications to this proposed SUD are minor and are seen as technical, rather than substantive, amendments.

In sum, the Department supports the proposed Ordinances to create the Chinatown Transit Station SUD in order to allow for the demolition of the existing mixed-use building without approval of a replacement building.

The Department finds the proposed Demolition to be, on balance, consistent with the General Plan, as outlined in the attached Draft Resolution.

## **ENVIRONMENTAL REVIEW**

The physical effects of the proposed SUD were analyzed in the Central Subway/Third Street Light Rail Phase 2 Final Supplemental Environmental Impact Statement/Final Supplemental Environmental Impact Report ("Final SEIS/SEIR"), thus no subsequent or supplemental environmental review is required under the California Environmental Quality Act Guidelines Section 15162. The Planning Department determined that the legislation, which would permit the demolition of the mixed-use building on the subject property would not result in new significant impacts, require new or modified mitigation measures, or cause impacts of greater severity than previously reported in the Final SEIR/SEIS.

## **PUBLIC COMMENT**

The Planning Department has not received any public comments regarding the proposed Ordinances.

<b>RECOMMENDATION:</b>	<b>Recommendation of Approval with Modifications of the Planning Code Text Amendment and Approval of the Planning Code Map Amendment</b>
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### **Attachments:**

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Board of Supervisors File No. 11-1210
- Exhibit C: Proposed Modifications to File No. 11-1210
- Exhibit D: Board of Supervisors File No. 11-1211
- Exhibit E: Exhibits

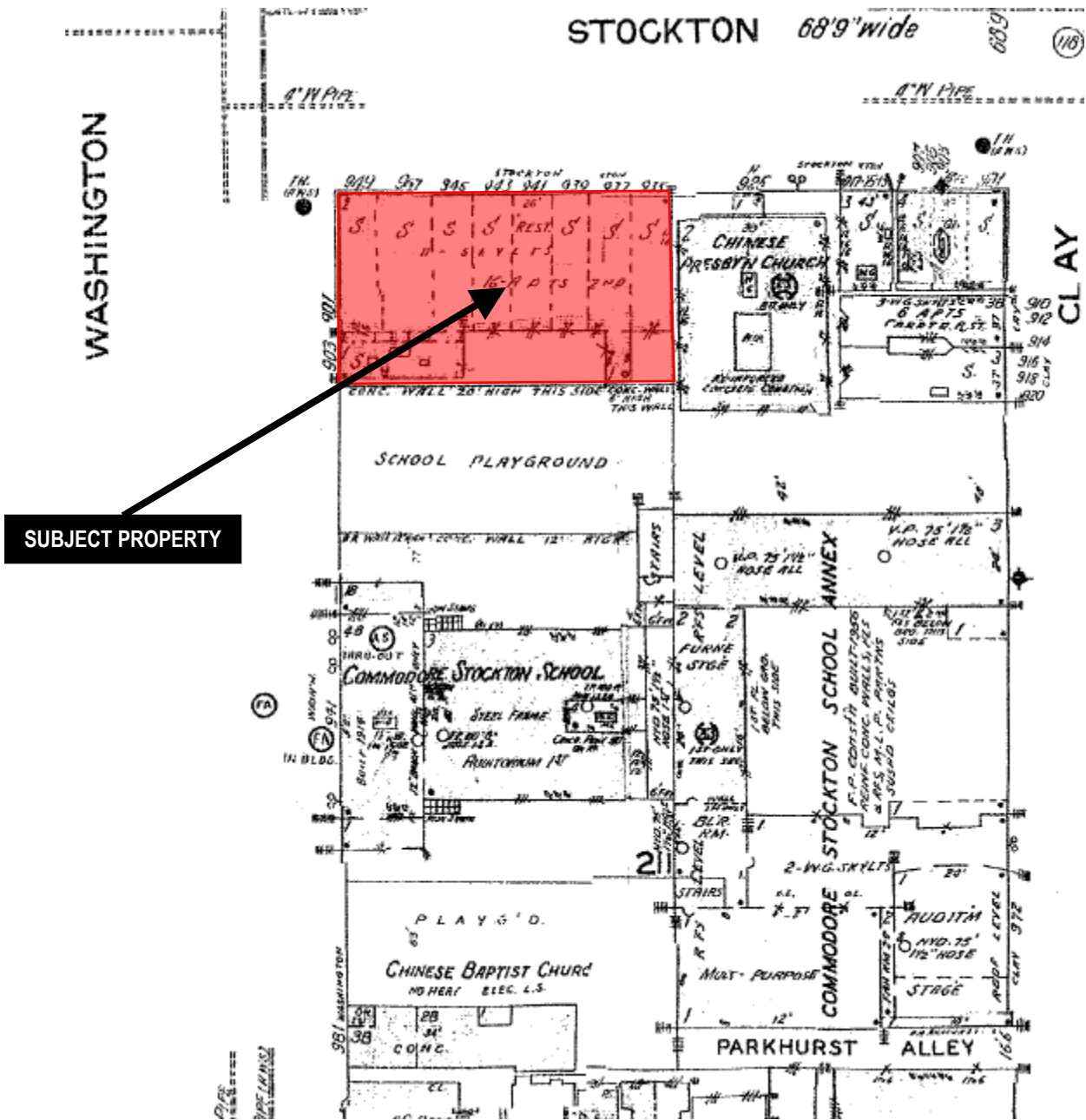
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<sup>6</sup> The Final Supplemental Environmental Impact Statement/Supplemental Environmental Impact Report was certified by the Planning Commission on August 7, 2008 through Motion No. 17668, and was upheld by the Board of Supervisors on September 16, 2008 through Motion No. 08-145.

# Block Book Map



# Sanborn Map\*



\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

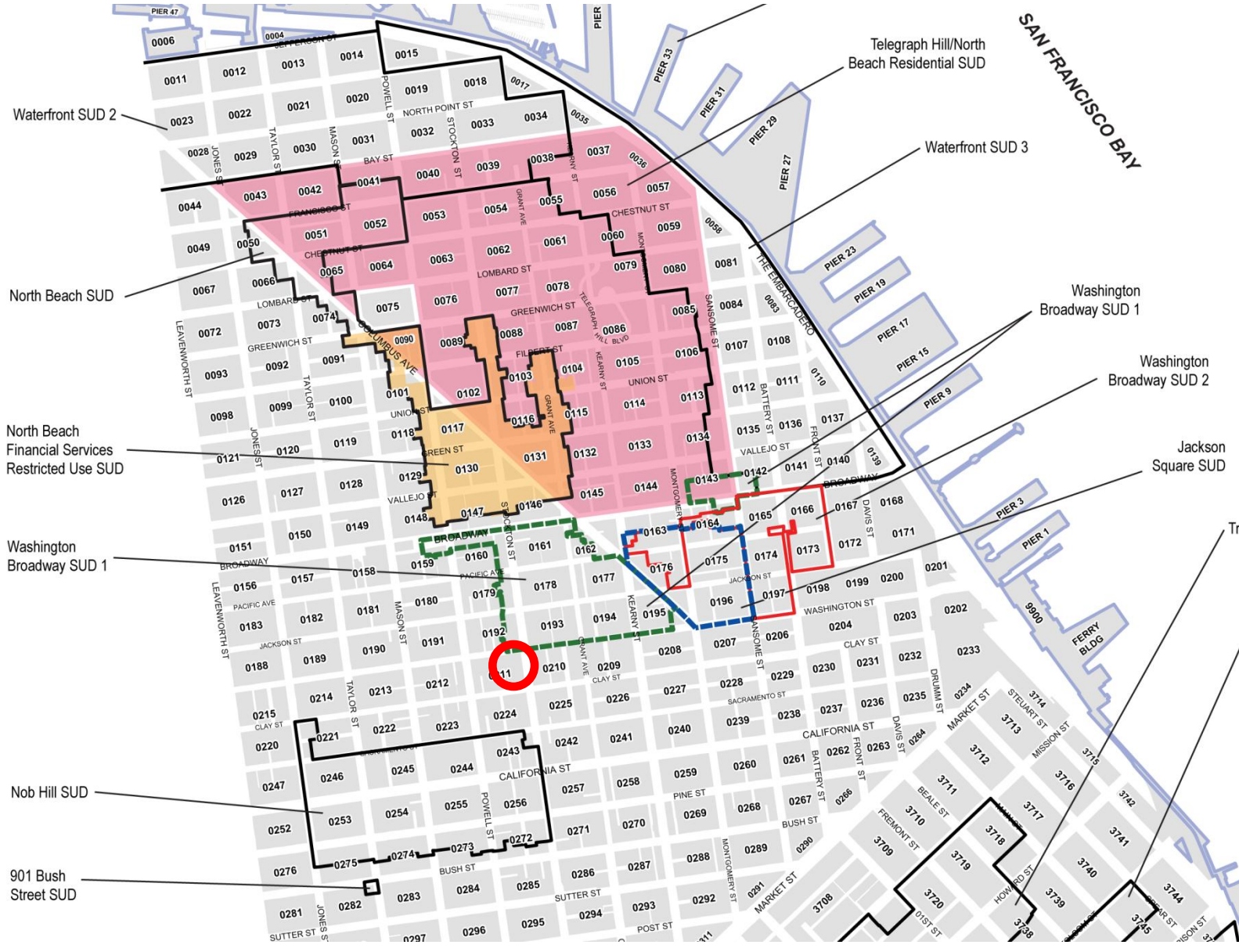


Planning Code Text and Map Amendments  
 Case Number 2011.1202RTZ  
 Chinatown Transit Station SUD  
 935-949 Stockton Street





# SUD Map



Planning Code Text and Map Amendments  
**Case Number 2011.1202RTZ**  
 Chinatown Transit Station SUD  
 935-949 Stockton Street

# Central Subway Map



Planning Code Text and Map Amendments  
**Case Number 2011.1202RTZ**  
 Chinatown Transit Station SUD  
 935-949 Stockton Street



# Aerial Photo



**SUBJECT PROPERTY**



Planning Code Text and Map Amendments  
Case Number 2011.1202RTZ  
Chinatown Transit Station SUD  
935-949 Stockton Street

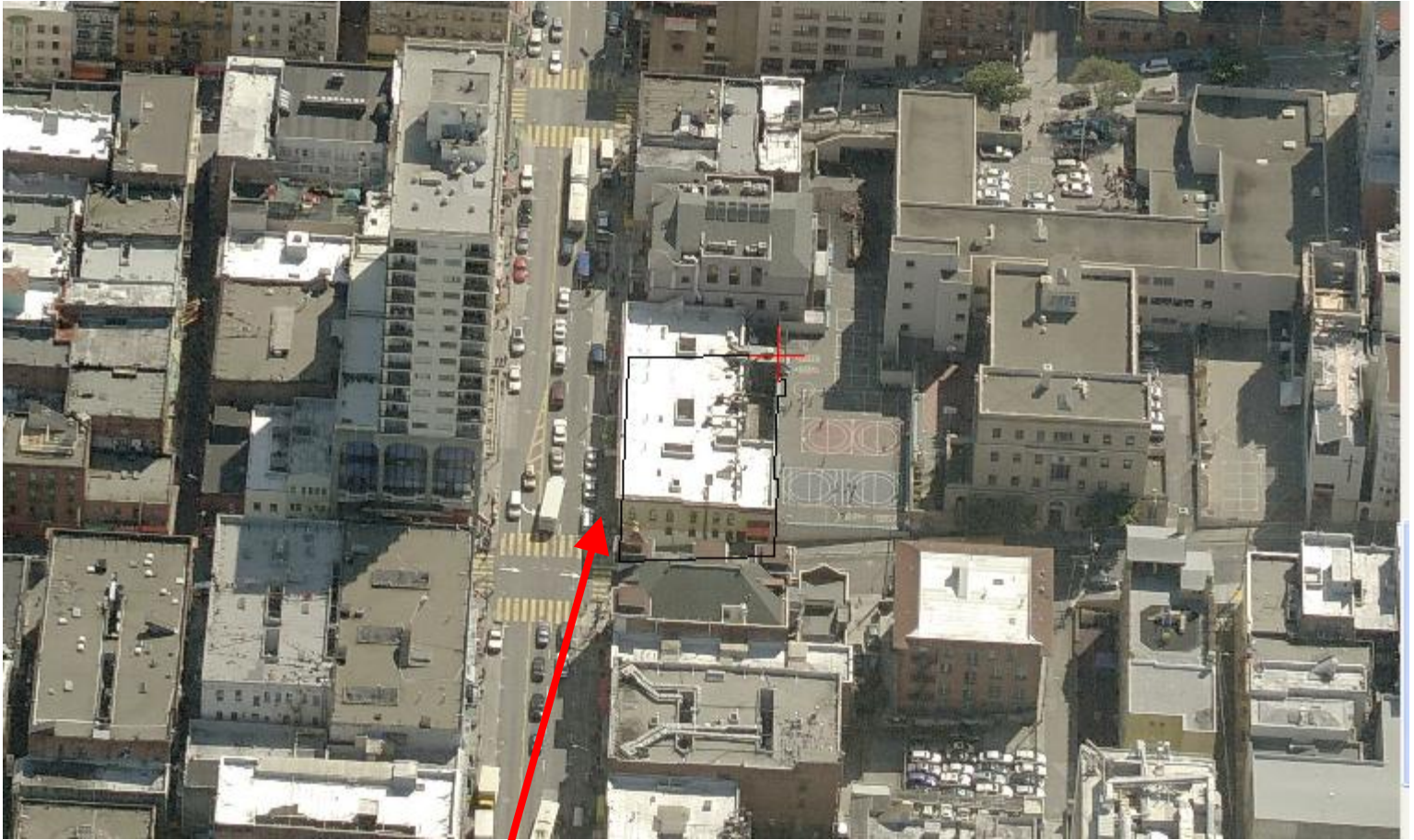
# Aerial Photo



**SUBJECT PROPERTY**



# Aerial Photo



**SUBJECT PROPERTY**



Planning Code Text and Map Amendments  
**Case Number 2011.1202RTZ**  
Chinatown Transit Station SUD  
935-949 Stockton Street

# Site Photo



**SUBJECT PROPERTY**

Planning Code Text and Map Amendments  
Case Number 2011.1202RTZ  
Chinatown Transit Station SUD  
935-949 Stockton Street